



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB1325

Introduced 2/4/2015, by Rep. Jeanne M Ives

SYNOPSIS AS INTRODUCED:

35 ILCS 200/27-30
35 ILCS 200/27-55

Amends the Special Service Area Tax Law in the Property Tax Code. Provides that a list of the names and addresses of the individuals and entities receiving a mailed notice of the public hearing concerning the establishment of a special service area shall be published at the time notice is given and shall be available at the public hearing. Provides that no special service area may be created or enlarged; no special service area tax may be levied, imposed, or increased; and no bonds may be issued in connection with a special service area, unless an authorization petition is filed with the municipal clerk or county clerk. Effective immediately.

LRB099 06021 SXM 26075 b

1 AN ACT concerning revenue.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Property Tax Code is amended by changing
5 Sections 27-30 and 27-55 as follows:

6 (35 ILCS 200/27-30)

7 Sec. 27-30. Manner of notice. Prior to or within 60 days
8 after the adoption of the ordinance proposing the establishment
9 of a special service area the municipality or county shall fix
10 a time and a place for a public hearing. The public hearing
11 shall be held not less than 60 days after the adoption of the
12 ordinance proposing the establishment of a special service
13 area. Notice of the hearing shall be given by publication and
14 mailing, except that notice of a public hearing to propose the
15 establishment of a special service area for weather
16 modification purposes may be given by publication only. Notice
17 by publication shall be given by publication at least once not
18 less than 15 days prior to the hearing in a newspaper of
19 general circulation within the municipality or county. Notice
20 by mailing shall be given by depositing the notice in the
21 United States mails addressed to the person or persons in whose
22 name the general taxes for the last preceding year were paid on
23 each property lying within the special service area. A notice

1 shall be mailed not less than 10 days prior to the time set for
2 the public hearing. In the event taxes for the last preceding
3 year were not paid, the notice shall be sent to the person last
4 listed on the tax rolls prior to that year as the owner of the
5 property. A list of the names and addresses of the individuals
6 and entities to whom the notice will be sent by mail shall be
7 published at the time notice is given and shall be available at
8 the public hearing.

9 (Source: P.A. 97-1053, eff. 1-1-13.)

10 (35 ILCS 200/27-55)

11 Sec. 27-55. Authorization ~~Objection~~ petition.
12 Notwithstanding any other provision of law, on and after the
13 effective date of this amendatory Act of the 99th General
14 Assembly, no special service area may be created or enlarged;
15 no special service area tax may be levied, imposed, or
16 increased; and no bonds may be issued for the provision of
17 special services within the area, unless ~~if~~ a petition signed
18 by at least 51% of the taxpayers of record of all property
19 ~~electors residing~~ within the special service area or ~~and~~ by at
20 least 51% of the taxpayers ~~owners~~ of record of the land
21 included within the boundaries of the special service area is
22 filed with the municipal clerk or county clerk, as the case may
23 be, authorizing ~~within 60 days following the final adjournment~~
24 ~~of the public hearing, objecting to~~ the creation of the special
25 service district, the enlargement of the area, the levy or

1 imposition of a tax or the issuance of bonds for the provision
2 of special services to the area, or to a proposed increase in
3 the tax rate, as the case may be. The petition must be filed
4 within 60 days following the final adjournment of the public
5 hearing. Only one taxpayer of record may sign an authorization
6 petition for any single property index number within the
7 proposed special service area. For the purposes of signing the
8 petition, "taxpayer of record" means either (i) any person in
9 whose name the general taxes for the last preceding year were
10 paid, as demonstrated by a copy of the tax bill or
11 documentation from the assessor or clerk, or (ii) any person in
12 whose name title is held, as demonstrated by a copy of the last
13 recorded deed to the property. Any authorized agent may sign a
14 petition on behalf of an entity, and that person's
15 certification of his or her authority to sign shall be
16 presumptive evidence of his or her authority to sign. A
17 beneficiary of a land trust may sign the petition with respect
18 to the property held by that land trust, and that person's
19 certification that he or she is a beneficiary shall be
20 presumptive evidence of his or her authorization to sign.
21 ~~Taxpayers, the district shall not be created or enlarged, or~~
22 ~~the tax shall not be levied or imposed nor the rate increased,~~
23 ~~or no bonds may be issued. The subject matter of the petition~~
24 ~~shall not be proposed relative to any signatories of the~~
25 ~~petition within the next 2 years. Each resident of the special~~
26 ~~service area registered to vote at the time of the public~~

1 ~~hearing held with regard to the special service area shall be~~
2 ~~considered an elector. Each person in whose name legal title to~~
3 ~~land included within the boundaries of the special service area~~
4 ~~is held according to the records of the county in which the~~
5 ~~land is located shall be considered an owner of record. Owners~~
6 of record shall be determined at the time of the public hearing
7 held with regard to a special service area. ~~Land owned in the~~
8 ~~name of a land trust, corporation, estate or partnership shall~~
9 ~~be considered to have a single owner of record.~~

10 (Source: P.A. 82-640; 88-455.)

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.